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October 12, 1984

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Government Accountability
Project
1555 Connecticut Avenue, N.W.
Washington, D.C. 20036

In the Matter of
Metropolitan Edison Company
(Three Mile Island Nuclear Station, Unit 1)
Docket No. 50-289 SP

Dear Lynne:

This responds to your letter of October 8, 1984, regarding production or identification of documents.

You first request production of any notes taken by Mr. Moore on March 28 and 29, in addition to those which have been produced in response to TMIA's discovery requests. I am informed that all of Mr. Moore's notes of those days which were appropriate for production were produced earlier. Nevertheless to avoid further exchanges on this subject, I am arranging to have any additional Moore notes produced for your inspection and copying, if desired. I will alert you when the material is available in our offices.

Your second request is for a complete set of phone records, especially for March 28. I am informed that a re-check indicates that the materials already produced, which includes phone bills for long distance calls from TMI for the period spanning March 28, is as complete a record as the Company has and are the same as Licensee produced to NRC in 1979. These records do not, of course, reflect local calls nor as I understand it, tie-line calls within the GPU system.

Your third request relates to a document produced by Licensee "which contains a radiation check identified in response to TMIA Interrogatory No. 43." This will confirm, as Mr. Lewis previously has stated to you, that the document upon

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which Licensee relied in part to respond to TMIA Interrogatory No. 43 is the document shown to Mr. Mulleavy during his deposition that includes in an entry the words "around Unit 2 Rx. Blg.". This document I understand to be an excerpt from a log maintained at TMI of radiation readings taken on March 28, 1979. The author of this entry, as Licensee previously has advised TMIA in Licensee's Third Supplemental Response to TMIA's First Set of Interrogatories, of October 9, 1984, was Beverly Goode.

Your fourth request seeks Licensee's position on the admissibility of a number of documents "which appear to be official GPU documents and which we [TMIA] have marked for identification during the depositions." Specifically, you seek Licensee's views now as to the authenticity and business records positions Licensee will take at the hearing if these documents are sought to be admitted. As I have told you on two occasions, I cannot anticipate Licensee's questioning the authenticity of the documents, particularly since I expect these are largely documents which we have produced to TMIA during discovery. As to whether the documents fall within the description of "business records" as that term is conventionally applied, I would expect some do and others do not. In any event, so long as they are relevant and material, I would not expect generally to object to their admissibility; their probative value or weight, however, will be left to the Licensing Board based on our respective arguments. In stating this, I am mindful of the Board's admonition to the parties in approving the earlier stipulation on documents. I do not see any need at this juncture to burden you, me or anyone else with additional depositions for this reason. I suggest you simply provide me (and the other parties) with a list of the documents as soon as you can and I will provide you with our position. With an agreement as to what specific documents you are talking about which agreement I believe we can readily reach in advance of the hearing, it seems to me hearing time will be minimal for their introduction into evidence.

Your fifth request is to review the originals of Keaten, Broughton and Moore notes, copies of which were deposition exhibits, and to review as well the original strip charts which recorded the pressure spike. My intention is to take steps, if possible, to have the requested original documents available for your inspection at the location of the depositions on Monday in Harrisburg. If that does not work out, some other arrangements will have to be made.

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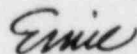
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Finally, we have provided the agreed-upon supplemental responses to TMIA's first discovery set along with our response to your fourth set which I understand you have received. Pursuant to our conversations I plan on meeting with you next Tuesday, October 16, to discuss problems you see with Licensee's response to TMIA's fourth set of discovery.

Sincerely,



Ernest L. Blake, Jr. P.C.
Counsel for Licensee

cc: Service List